

August 10, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Subscriber Notification and Acknowledgement Status and Compliance  
Report of IGC Telecom Group, Inc.; WC Docket No. 05-196**

Dear Ms. Dortch:

ICG Telecom Group, Inc. ("ICG"), through its undersigned counsel and in compliance with the Commission's *VoIP E911 Order* ("Order") and the Public Notice issued by the Enforcement Bureau on July 26, 2005 ("Public Notice"), submits this report to advise the Commission of the status of ICG's efforts to comply with Commission Rule 9.5(e).

As required by the Public Notice, ICG responds to the following questions:

- 1) A detailed description of all actions the provider has taken to specifically advise every subscriber, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service and/or may be in some way limited by comparison to traditional E911 service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers.**

**(a) Existing VoIP Subscribers**

On July 8, 2005, ICG sent by U.S. certified mail, return receipt requested, to each of its VoIP subscribers of record as of that date, an E-911 advisory containing the information required by new Rule 9.5(e)(1). Since July 11, 2005, ICG has been conducting a telephone campaign whereby customer service representatives are contacting twice per week those VoIP subscribers from which ICG has not yet received affirmative acknowledgement. As part of this telephone campaign, subscribers are being asked to fax executed acknowledgments to ICG, and duplicate copies of the acknowledgments are being emailed to subscribers who may have misplaced their original notices.

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(b) New VoIP Subscribers

ICG has modified its Master Services Agreement for its VoIP services to include the information required by new Rule 9.5(e)(1). In addition to signing the Agreement, new VoIP subscribers are required to initial those paragraphs that contain the 911 notice as a condition of initiating service. These procedures were implemented for all new VoIP subscribers beginning on August 1, 2005. By August 17, 2005, ICG plans to mail notices to all VoIP subscribers that signed up for service between July 8, 2005 and July 31, 2005.

- 2) A quantification of how many of the provider's subscribers, on a percentage basis, have submitted an affirmative acknowledgement, as of the date of the report, and an estimation of the percentage of subscribers from whom they do not expect to receive an acknowledgement by August 29, 2005.**

As of August 10, 2005, ICG has obtained affirmative acknowledgement from approximately 76% of its subscriber base. ICG cannot predict with precision what its final response rate will be, but estimates that approximately 10% of its subscribers will still not have provided affirmative acknowledgement by August 29, 2005.

- 3) A detailed description of whether and how the provider has distributed to all subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on and/or near the customer premises equipment used in connection with the interconnected VoIP service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers (i.e. e-mail, U.S. mail).**

(a) Existing VoIP Subscribers

On July 29, 2005, ICG sent via U.S. postal mail warning labels to all of its subscribers of record as of July 8, 2005. Included with those labels were the appropriate instructions that advise the subscriber to place the labels on or near the customer premises equipment.

(b) New VoIP Subscribers

Since August 1, 2005, warning labels are included in the Fulfillment Package that is sent via U.S. postal mail to new subscribers after receipt of an executed Master Services Agreement and before service installation occurs. By August 17, 2005, ICG plans to mail stickers to all VoIP subscribers that signed up for service between July 8, 2005 and July 31, 2005.

- 4) A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in [Question 1] and/or to whom the provider did not send warning stickers or other appropriate label as identified in [Question 3].**

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ICG has not yet sent advisories and warning labels to a few (less than 5%) of its VoIP subscribers that signed up for service between July 8, 2005 (the date of the initial advisories) and July 31, 2005 (the day before the new subscriber notice and label procedures were implemented). IGC plans to mail the advisories and warning labels to these remaining subscribers on or about August 17.

**5) A detailed description of any and all actions the provider plans on taking towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory, including, but not limited to, disconnecting the subscriber's VoIP service with the Company no later than August 30, 2005.**

ICG will continue its telephone campaign to contact and obtain affirmative acknowledgment from all of its subscribers until August 29, 2005. On August 10, 2005, ICG sent reminder notices via email to the remaining VoIP subscribers from which it had not yet received affirmative acknowledgement.

As detailed in response to Question 2, ICG expects that despite its diligent efforts, the Company will not be able to obtain affirmative acknowledgement from some subscribers by August 29, 2005. For those VoIP subscribers that do not provide affirmative acknowledgement by August 29, 2005, on August 30, 2005, ICG currently plans to disconnect subscribers from their service until affirmative acknowledgement is provided. Beginning on August 30, 2005, when such a subscriber attempts to place a call, the call will be automatically routed to IGC's customer service center, which will again explain that ICG must receive an affirmative acknowledgement in order for the subscriber's VoIP service to be restored.

**6) A detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers.**

ICG maintains an electronic database to track customers who have submitted affirmative acknowledgements and uses this database to determine which customers will receive follow-up calls from ICG's customer service center. The customers' executed acknowledgements are being maintained in the legal department's records with the customer's contract.

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**7) The name, title, address, phone number, and e-mail address of the person(s) responsible for the Company's compliance efforts with the VoIP E911 Order.**

Scott Beer  
Vice President & General Counsel  
ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russell M. Blau".

Russell M. Blau  
Tamar E. Finn  
Wendy M. Creeden

Counsel for ICG Telecom Group, Inc.

cc: Byron McCoy (FCC)  
Kathy Berthot (FCC)  
Janice Myles (FCC)  
Best Copy and Printing, Inc.  
Scott Beer (ICG)

I, Scott Beer, state that I am Vice President and General Counsel of ICG Telecom Group, Inc.; that I am authorized to submit the forgoing *Subscriber Notification and Acknowledgement Status and Compliance Report* ("Report") on behalf of ICG Telecom Group, Inc.; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read 'Scott Beer', is written over a horizontal line.

Name: Scott Beer

Title: Vice President and General Counsel  
ICG Telecom Group, Inc.